

“Date”

Ms. Sanettria “Sam” Glasper Pleasant
Attorney Supervisor
Louisiana Department of Transportation and Development
P.O. Box 94245
Baton Rouge, Louisiana 70804-9245

RE: Ethics Board Docket No. 2021-484

Dear Ms. Pleasant:

The Louisiana Board of Ethics, at its August 6, 2021 meeting, considered your request to approve a disqualification plan regarding matters that may arise out of the employment of Ronnie Anderson, as a Mobile Equipment Operator within the Louisiana Department of Transportation and Development (“DOTD”), District 05, while his brother, Joe Siggers is employed as a Mobile Equipment Operator within DOTD’s District 05.

FACTS PROVIDED

You provided that Joe Siggers is an 11-year employee of DOTD as a Mobile Equipment Operator 1/Heavy within DOTD’s District 05. You provided that Joe Siggers’ duties include operating heavy equipment such as bulldozers, front end loaders, backhoes, excavators, graders, trenching machines, mobile cranes, draglines, pile drivers, and locomotives. You provided that State Civil Service also includes as a job description that he provide functional supervision over lower graded equipment operators or laboring personnel as needed.

You stated that Ronnie Anderson, Joe Siggers’ brother, has applied for the vacant position of Mobile Equipment Operator 1 within DOTD’s District 05. You provided an Organizational Chart for District 05 that indicates Joe Siggers is not an agency head, and to avoid any potential conflict you presented a disqualification plan whereby Joe Siggers would not participate in any transaction or appointing authority duties involving Ronnie Anderson, including, but not limited to, approving leave, signing performance documents, and recommending hiring/promotions. Further, Joe Siggers will not perform any functional supervision of Ronnie Anderson at any time and that all supervision will be handled by Clark Higgenbotham, Highway Foreman 1, District 05.

LAW

La. R.S. 42:1119A provides no member of the immediate family of an agency head shall be employed in his agency.

La. R.S. 42:1112B(4) states that no public servant shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any member of his immediate family has a substantial economic interest.

La. R.S. 42:1112C allows a disqualification plan to be developed in accordance with rules adopted by the Board to remove a public servant from participating in transactions that would otherwise present violations of Section 1112 of the Code.

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CONCLUSION

The Board concluded and instructed me to inform you, that the Code of Governmental Ethics (Ethics Code) would not prohibit the hiring of Ronnie Anderson as a Mobile Equipment Operator 1 within DOTD's District 05, while his brother is employed as a Mobile Equipment Operator 1/Heavy within DOTD's District 05. In addition, the Board concluded and instructed me to inform you, that the disqualification plan submitted by you complies with La. R.S. 42:1112C and the Rules for the Louisiana Board of Ethics.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Gregory L. Thibodeaux
For the Board

DISCLAIMER
This is a draft opinion and it is **NOT** an opinion of the Louisiana Board of Ethics. No party may rely on the facts or conclusions. The analysis and conclusions herein are preliminary and are subject to change or revision at the meeting of the Board of Ethics at which this draft opinion is considered.